

NAME AND ADDRESS OF SENDER

JOHN A. CLARKE
EXECUTIVE OFFICER/CLERK OF THE SUPERIOR COURT
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File stamp

CITY ATTORNEY

2010 MAR -4 PM 5:11

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Christopher Lee Dunn

CASE NUMBER

BC 418792

Plaintiff(s),

vs.

City of Burbank, et al.,

COURT OF APPEAL

MANDATORY DOCKETING STATEMENT

Notice of Appeal Date: February 8, 2010

Defendant(s),

Notice to Appellant: This two-page form must be returned to the address on the next page within 20 days from the date of this notice. Dated: February 9, 2010

TO: Steven M. Cischke
15910 Ventura Blvd., Ste 1610
Encino, CA 91436

You can take steps to reduce delays in the processing of your appeal.

1. **(MANDATORY)** If all parties agree, you may participate in an appellate mediation program administered by the Court of Appeal. Participation in the mediation program requires the agreement of all parties.
 - ▶ Appellant shall contact all parties to the appeal to determine if the parties agree to participate in the mediation conference program.
 - ▶ Check ☒ one box in Section A on reverse (MANDATORY)
2. **(OPTIONAL)** If you have already designated a Clerk's transcript to be prepared by the Superior Court, you may use this form to elect to proceed with an Appendix in lieu of a Clerk's Transcript (CRC Rule 8.124). (Note: Use of this option voids earlier designations of Clerk's Transcripts.)
 - ▶ Check ☒ box in Section B on reverse.

Record preparation will not be stayed during the pendency of the mediation program, unless a stipulation signed by all the parties is filed with the Court of Appeal and order is granted.

NOTE: CHANGING YOUR DESIGNATION OF CLERK'S TRANSCRIPT ON APPEAL WILL NOT AFFECT PREVIOUSLY FILED DESIGNATION OF REPORTER'S TRANSCRIPT(S).

03-1-10

Due date:

3/1/10

Section A --- **YOU MUST CHECK ONE BOX IN THIS SECTION**

- ☐ **ALL** PARTIES AGREE TO PARTICIPATE IN A MEDIATION CONFERENCE.
Failure to participate in good faith may result in sanctions!
Your case will be assigned to a mediator within two weeks.
- ☒ **ALL** PARTIES DO NOT AGREE TO PARTICIPATE IN A MEDIATION PROGRAM AT THIS TIME.

Section B --- ***Optional***

- ☐ I ELECT TO RE-DESIGNATE THE CLERK'S RECORD ON APPEAL AND PROCEED WITH AN APPENDIX IN LIEU OF CLERK'S TRANSCRIPT PURSUANT TO RULE 8.124, CALIFORNIA RULES OF COURT. YOU CAN ONLY RE-DESIGNATE IF YOU HAVE PREVIOUSLY FILED A CLERK'S TRANSCRIPT DESIGNATION.

NOTE: CHANGING YOUR RE-DESIGNATION OF CLERK'S TRANSCRIPT ON APPEAL WILL NOT AFFECT PREVIOUSLY FILED DESIGNATION OF REPORTER'S TRANSCRIPT(S)

You MUST sign and return this entire two – page form to the address below.

You must include a Proof of Service of this form on all parties.

Steven M. Gills
Attorney Signature

Date: 3-1-10

Steven M. Cischke
Type or Print Name of Attorney

Christopher Lee Dunn, Appellant/Plaintiff
Name of Party Represented

RETURN TO:

LOS ANGELES SUPERIOR COURT
CIVIL APPEALS DIVISION
111 NORTH HILL STREET, ROOM 111A
LOS ANGELES, CA 90012

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party
4 to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California
91436.

5 On March 1, 2010, I served a copy of the following document described as Court of Appeal
6 Mandatory Docketing Statement on the interested parties in this action as follows:

7 Carol Ann Humiston
8 Senior Assistant City Attorney
9 Office of the City Attorney
275 East Olive Avenue,
Burbank, California 91510-6459
Facsimile: (818) 238-5724
Email: chumiston@ci.burbank.ca.us

Kristin A. Pelletier, Esq.
Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071
Facsimile: (213) 236-2700
Email: chumiston@ci.burbank.ca.us

10 XX **BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as
11 above, and placing each for collection and mailing on that date following ordinary business
12 practices. I am "readily familiar" with this business's practice for collecting and processing
13 correspondence for mailing. On the same day that correspondence is placed for collection
and mailing, it is deposited in the ordinary course of business with the U.S. mail Postal
Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

14 — **BY FACSIMILE:** Based on an agreement of the parties to accept service by facsimile
15 transmission, I faxed the documents to the person(s) at the facsimile numbers listed above.
16 The telephone number of the sending facsimile machine is (818) 815-2737. The sending
facsimile machine issued a transmission report confirming that the transmission was
complete and without error. A copy of that report showing the time of service is attached.

17 — **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an
18 agreement of the parties to accept service by e-mail or electronic transmission, I caused the
19 documents to be sent to the person(s) at the e-mail address listed above. My electronic
notification address is dj@rglawyers.com. I did not receive, within a reasonable time after
the transmission, any electronic message or other indication that the transmission was
unsuccessful. A copy of the electronic transmission showing the time of service is attached.

20 XX **STATE:** I declare under penalty of perjury under the laws of the State of California that the
21 above is true and correct.

22 EXECUTED on March 1, 2010, at Encino, California.

23 Daphne Johnson
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